

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

CHARLES CURRY and
KENDRA CURRY,

Civil Action No: 3:08cv623

Plaintiffs,

vs.

WELLS FARGO BANK, et al.

Defendants.

MOTION TO DISMISS OF AMERICAN HOME MORTGAGE SERVICING, INC.

Defendant American Home Mortgage Servicing, Inc. ("American"), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules Of Civil Procedure, does hereby move this Court for an Order dismissing it as a Defendant in this matter with prejudice on the grounds that the First Amended Complaint filed herein fails to state a claim for which relief can be granted against American for the reasons stated in the accompanying Memorandum in Support of Motion to Dismiss.

Respectfully submitted,
AMERICAN HOME MORTGAGE
SERVICING, INC.,

By: _____/s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of January, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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